

**AFFIDAVIT OF SERVICE**

UNITED STATES DISTRICT COURT  
Southern District of New York

Index Number: 07 CV 6768

Date Filed: 7/27/2007

Plaintiff:

**FINGERLAKES MALL, LLC,**

vs.

Defendant:

**FINGERLAKES MALL ACQUISITION, LLC,**

For:

Silverman Perlstein & Acampora LLP

100 Jericho Quadrangle

Suite 300

Jericho, NY 11753

Received these papers to be served on **FINGERLAKES MALL ACQUISITION, LLC, C/O:GREENBERG NICOLETTA & STEIN LLP, located at 1384 Broadway, Suite 1603, New York, New York.**

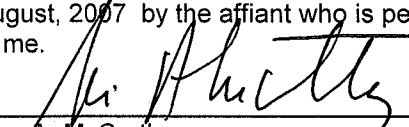
I, Vincent J. Manna, being duly sworn, depose and say that on the **31st day of July, 2007 at 1:25 pm, I:**

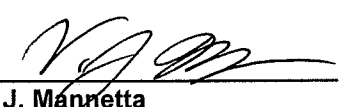
Served the above named Entity by delivering a true copy of the **Summons In A Civil Action, Complaint, Civil Cover Sheet & Rule 7.1 Statement, Individual Practices of JUDGE BARBARA S. JONES & Individual Practices of JUDGE FRANCIS** to Vincent Nicoletta, Partner at GREENBERG NICOLETTA & STEIN LLP, as authorized to accept on behalf of the above named Entity.

**Description of Person Served:** Age: 47, Sex: M, Race/Skin Color: White, Height: 5'7", Weight: 180, Hair: Black, Glasses: N

I am over the age of 18, am not a party in the above action, and am a Certified Process Server, in good standing, in the jurisdiction in which the process was served.

Subscribed and sworn to before me on the 2nd day of August, 2007 by the affiant who is personally known to me.

  
Tina A. McCarthy  
Notary Public, State of New York  
No. 01MC6115830  
Qualified in Bronx County  
Commission Expires 09/13/2008

  
Vincent J. Manna  
1203246

Our Job Serial Number: 2007003096  
Ref: 07 CV 6768